



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: LUTZ, Carl David et al.

Group Art Unit: 2877

Serial No. 10/684,854

Examiner: EVANS, Fannie L.

Filed: 10/14/2003

Atty. Dkt. No: SI005-US

For: COLORIMETER WITH SINGLE CABLE LOW IMPACT MOUNTING SYSTEM

To: Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

From:

24222

Commissioner:

LETTER OF TRANSMITTAL

1. Transmitted herewith is Credit Card Payment Form PTO-2038, in the amount of \$ 1009.00 for the issue fee, publication fee, and 3 advance copies, payable to the Commissioner of Patents and Trademarks, 1 page PTOL-85B Issue Fee Transmittal, 1 page PTO/SB/47 Fee Address Form, and 5 Replacement Drawing Sheets.

2. SMALL ENTITY ASSERTION: Pursuant to 37 CFR 1.9(f) & 1.27(c) Small Entity status applies.

3. Drawings: 5 sheets of replacement drawings are submitted herewith. No new matter is added.

4. DEPOSIT ACCOUNT 500323 AUTHORIZATION – All fees relating to the attached submittal are intended to be included herein. The office is however, hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the attached submittal to deposit account **500323**, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus. agents.

5. [X] COMMENTS ON REASON FOR ALLOWANCE

The Applicant thanks the Office for providing reasons for allowance. However, the Applicant believes that the record as a whole amply supports the allowance of the claims and such further comments by the Office do not represent the full scope of the invention as defined in each of the claims. The Office merely recites elements of claims 1, 12, 23 and 30 as the reasons for allowance, and the Applicant wishes to ensure that such statement does not give rise to a presumption of acquiescence to those reasons, and any negative inferences that may flow therefrom. Applicant believes that the allowed claims 1-36, including 4 independent claims are best interpreted in light of the record as a whole and not on the reasons presented in the Notice of Allowance.

Respectfully submitted,

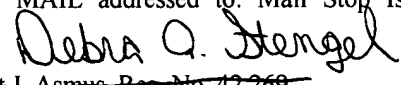


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CERTIFICATE OF MAILING 37 CFR 1.8: I certify that this correspondence is being deposited on the below date with the U.S. Postal Service with sufficient postage as FIRST CLASS MAIL addressed to: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: April 11, 2006


☒ Debra A. Stengel or ☐ Scott J. Asmus, Reg. No. 42,269